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10/616,464

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EXAMINER

HOEL, MATTHEW D

ART UNIT

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3714

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/616,464	Applicant(s) RASMUSSEN ET AL.	
	Examiner Matthew D. Hoel	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-19, 25-33, 37 and 38 is/are rejected.
- 7) ☒ Claim(s) 6-10, 20-24 and 34-36 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claim 1 to 5, 13 to 19, 27, 28, 30 to 33, 37, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stillman (U.S. patent 1,993,757 A) in view of Underwood (U.S. patent 1,993,465 A).

4. As to Claim 1: '757 teaches a coin path in which accepted coins travel (Fig. 1). '757 has a validation unit along the coin path (53, Fig. 1; magnetic detection of false coins discussed generally, Page 2, right col., lines 30 to Page 3, left col., line 27; specifically Page 3, left col., lines 1-27). '757 has a coin control feature along the coin path and upstream from the validation unit (underweight coin rejector 47 and overweight coin rejector, Fig. 1; Page 2, left col., lines 47-60; Page 2, right col., lines 1-30). The

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coin control will have the effect of slowing the velocity of the coins and properly spacing them to prevent jamming and allowing the validation unit to accurately identify and authenticate each coin. The weight of the metallic finger 47 (Fig. 1) will serve to slow down the coin and also the change of direction at metallic finger 48 (Fig. 1) will serve to slow the coin down. '757 does not address a gaming machine, but using a coin input device for accepting coins to play a wagering game on a gaming machine is suggested, however, by '465 (Page 1, left. col., lines 32-41). In any event, accepting coins to play a wagering game on a gaming machine is a mere statement of intended use as a similar mechanism could be used in a vending machine and so forth. It would have been obvious to one of ordinary skill in the art at the time of invention to apply the wagering use of '465 to the coin acceptor of '757. '465 teaches an analogous device to '757 in that it uses weight to discriminate between real and fake coins (Figs. 5-7; Page 3 generally; specifically Page 3, left col., lines 27-47). In any event, accepting coins to play a wagering game on a gaming machine is a mere statement of intended use as a similar mechanism could be used in a vending machine and so forth. The advantage of this combination would be to prevent fraud on gaming machines by unscrupulous players.

5. As to Claim 15: '465 teaches handling coins for playing a wagering game on a gaming machine (Page 1, left. col., lines 32-41). '757 teaches accepting coins at a coin input device having a coin path, transporting the accepted coins along the coin path, controlling the coins with a coin control feature that slow a velocity of the coins and properly spaces the coins, the coin control feature being along the coin path, and after

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controlling the coins, validating the coins (Fig. 1; 53, Fig. 1; magnetic detection of false coins discussed generally, Page 2, right col., lines 30 to Page 3, left col., line 27; specifically Page 3, left col., lines 1-27).

6. As to Claim 29: '465 teaches a coin input device for accepting coins to play a wagering game on a gaming machine (Page 1, left. col., lines 32-41). '757 teaches a coin path in which the accepted coins travel, means, along the coin path, for validating the coins, for slowing a velocity of the coins and properly spacing the coins, thereby preventing jamming and allowing the validating means to accurately identify and authenticate each coin (Fig. 1; 53, Fig. 1; magnetic detection of false coins discussed generally, Page 2, right col., lines 30 to Page 3, left col., line 27; specifically Page 3, left col., lines 1-27). Adding a processor would have been obvious to one of ordinary skill in the art at the time the invention was made, as evidenced by Liverance (U.S. patent 5,370,399 A, electronic gaming machine with processor, Fig. 1; analogous coin handling apparatus, Figs. 4, 5). Such a processor would have had the advantage of automating game playing previously done mechanically as in the slot machine of '465.

7. As to Claim 38: '465 teaches a coin input device for accepting coins to play a wagering game on a gaming machine (Page 1, left. col., lines 32-41). '757 teaches a coin path in which the accepted coins travel, means, along the coin path, for validating the coins, for slowing a velocity of the coins and properly spacing the coins, thereby preventing jamming and allowing the validating means to accurately identify and authenticate each coin (Fig. 1; 53, Fig. 1; magnetic detection of false coins discussed

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generally, Page 2, right col., lines 30 to Page 3, left col., line 27; specifically Page 3, left col., lines 1-27).

8. As to Claims 2, 16, 30: '757 teaches the coin path being generally vertical such that the coins travel in the coin path by a force of gravity (Fig. 1).

9. As to Claims 3, 17, 31: '757 teaches the coin control feature impacting the edges of the respective coins to slow the velocity of the coins (47, 48, Fig. 8).

10. As to Claims 4, 18, 32: '757 teaches impacting the faces of the respective coins to slow down the velocity of the coins (notched coin rejector, Figs. 4, 5; Page 1, right col., line 47 to Page 2, left col., line 36).

11. As to Claims 5, 19, 33: '757 teaches the coin control feature including pivoting members struck by each coin as the coins travel in the coin path (47 and 48, Fig. 1).

12. As to Claims 13, 27, and 37: '757 has hinged posts 47 and 48 to deflect and slow the coins traveling in the path Fig. 1. Also, the plural plates 40 of Figs. 1, 4, and 5 (Page 2, left col., lines 1-36) in effect act as serrations as the contact the face of the coins in the notched coin rejector 35.

13. As to Claims 14 and 28: '757 has an abrupt change of path (Fig. 1).

14. Claims 11, 12, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over '757 and '465 in view of Johns (U.S. patent 1,995,188 A).

15. As to Claims 11, 12, 25, and 26: '757 and '465 do not specify a flexible cone shaped member connected to a conical compression spring or a flexible spring member connected to, or bent over, a pin. '188, however, teaches the analogous limitation of a

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hinged pin 53 abutting a leaf spring 56 in a coin slot (Fig. 2). This mechanism is used to gauge the thickness of the coin and rejecting coins greater than maximum thickness (Page 3, left. col., lines 34-68). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the proposed modifications to '757 and '465 as '188 demonstrates that using spring-loaded members to impede the movement of coins in a coins slot was known in the art at the time of invention and the proposed flexible cone shaped member connected to a conical compression spring or a flexible spring member connected to, or bent over, a pin do not appear to have any patentable advantage over the limitation of '188. Additionally, the modification would have had the advantage of customizing the tension in hinged members 47 and 48 in Fig. 1 of '757, the underweight rejector and overweight rejector, respectively, as this would have allowed the customization of the force applied to these members to accept or reject coins of differing weights, say for example if the device were to be used in a foreign country with different coin weights. '757 as is has members 47 and 48 with constant mass, not able to be customized.

***Allowable Subject Matter***

16. Claims 6 to 10, 20 to 24, and 34 to 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The examiner could not find the pivoting member of Claims 6, 20, and 36 suggested in relation with the rejected claim limitations.

***Citation of Pertinent Prior Art***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 26<sup>th</sup> Edition, Machinery's Handbook, 2000, Industrial Press, Inc., New York, discusses conical compression springs on Page 327. Standard Handbook of Machine Design, Third Edition, discusses conical compression springs on Page 6.27. Electromechanical Design Handbook, 2000, McGraw-Hill, New York, discusses conical compression springs on Pages 7.7 and 7.8.

***Conclusion***


18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew D. Hoel whose telephone number is (571) 272-5961. The examiner can normally be reached on Mon. to Fri., 8:00 A.M. to 4:30 P.M.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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